

**MINUTES OF THE
HOUSE SPECIAL INVESTIGATIVE COMMITTEE**
Thursday, December 19, 2013 – 10:00 a.m. – Room 445 State Capitol

Members Present:

Rep. James A. Dunnigan, Chair
Rep. Rebecca Chavez-Houck
Rep. Brad L. Dee
Rep. Susan Duckworth
Rep. Francis D. Gibson
Rep. Lynn N. Hemingway
Rep. Mike K. McKell

Staff Present:

Mr. Jerry D. Howe, Managing Policy Analyst
Mr. John L. Fellows, Legislative General Counsel
Mr. Eric N. Weeks, Deputy General Counsel
Ms. Sara J. Thomas, Legislative Secretary

Rep. Lee B. Perry
Rep. Jennifer M. Seelig

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Dunnigan called the meeting to order at 10:39 a.m.

MOTION: Rep. Duckworth moved to approve the minutes of the December 7, 2013, meeting. The motion passed unanimously.

Chair Dunnigan explained that the committee would not receive public comment at the meeting, but encouraged the public to submit written comments. He acknowledged the committee's special counsel, Mr. Steven Reich and Mr. Steven Ross, as well as the lead investigator, Mr. Jim Mintz.

2. Receive Report of Investigative Findings

Mr. Reich outlined the investigative findings he and investigators planned to present over the course of the next two days, regarding the allegations of wrongdoing by former Utah attorney general John Swallow. He noted that the committee's final report would contain additional findings not discussed in these meetings.

Mr. Reich described the widespread loss of Mr. Swallow's electronic data. He presented information that indicates Mr. Swallow intentionally eliminated evidence and deleted data from electronic devices. He asserted that Mr. Swallow also fabricated evidence in an effort to mislead those who might inquire into his conduct. Mr. Reich explained how this dual loss and creation of evidence obstructed the committee's ability to get to the truth of the underlying allegations of misconduct. Mr. Reich responded to questions from the committee.

3. Other Business

Chair Dunnigan thanked Mr. Reich and committee members and noted that the committee would reconvene the following day to hear additional investigative findings.

4. Adjourn

MOTION: Rep. Perry moved to adjourn the meeting. The motion passed unanimously.

Chair Dunnigan adjourned the meeting at 3:20 p.m.